

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

SHEILA ROBINSON,	§	No. 4:14-cv-581
	§	
Plaintiff,	§	
	§	
v.	§	
	§	
GC SERVICES, LP,	§	
	§	
Defendant.	§	
	§	

PLAINTIFF’S COMPLAINT

SHEILA ROBINSON (Plaintiff), through her attorneys, KROHN & MOSS, LTD.,
alleges the following against GC SERVICES, LP (Defendant):

INTRODUCTION

1. Plaintiff’s Complaint is based on the Fair Debt Collection Practices Act, *15 U.S.C. 1692 et seq.* (FDCPA).
2. Defendant acted through its agents, employees, officers, members, directors, heirs, successors, assigns, principals, trustees, sureties, subrogees, representatives, and insurers.

JURISDICTION AND VENUE

3. Jurisdiction of this court arises pursuant to *15 U.S.C. 1692k(d)*, which states that such actions may be brought and heard before “any appropriate United States district court without regard to the amount in controversy.”
4. Defendant conducts business in the state of Texas, and therefore, personal jurisdiction is established.
5. Venue is proper pursuant to *28 U.S.C. 1391(b)(2)*.

PARTIES

6. Plaintiff is a natural person residing in Newark, New Castle County, Delaware.
7. Plaintiff is a consumer as that term is defined by *15 U.S.C. 1692a(3)*, and according to Defendant, Plaintiff allegedly owes a debt as that term is defined by *15 U.S.C. 1692a(5)*.
8. Defendant is an alleged debt collector as that term is defined by *15 U.S.C. 1692a(6)*, and sought to collect a consumer debt from Plaintiff.
9. Defendant is a national debt collection company with its main office located in Houston, Texas and it conducts business in Texas.

FACTUAL ALLEGATIONS

10. Defendant places collection calls to Plaintiff seeking and demanding payment for an alleged debt.
11. Plaintiff's alleged debt arises from transactions for personal, family, and household purposes.
12. In or around January of 2014, Defendant placed collection calls to Plaintiff seeking and demanding payment for an alleged consumer debt.
13. Defendant called Plaintiff's telephone number at 302-838-11XX.
14. In or around January of 2014, Defendant called Plaintiff's telephone at 302-838-11XX and left a voicemail message.
15. In the voicemail message, Defendant's representative, "Carlos," failed to disclose the name of the company placing the call, failed to state the nature of the call, and failed to disclose that the call was from a debt collector. See Transcribed Voicemail Message attached hereto as Exhibit A.

16. In the voicemail message, Defendant directed Plaintiff to call back telephone number 866-391-0768, extension 5065, which is a number that belongs to Defendant. See transcribed voicemail message attached hereto as Exhibit A.

17. Defendant is using false, deceptive and misleading means in connection with attempting to collect a debt by not identifying the purpose of its phone calls or that they are an attempt to collect a debt.

COUNT I
DEFENDANT VIOLATED THE FAIR DEBT COLLECTION PRACTICES ACT

18. Defendant violated the FDCPA based on the following:

1. Defendant violated §1692d of the FDCPA by engaging in conduct the natural consequence of which is to harass, oppress, or abuse Plaintiff;
2. Defendant violated §1692d(6) of the FDCPA when Defendant placed telephone calls without meaningful disclosure of the caller's identity; and
3. Defendant violated §1692e of the FDCPA by using false, deceptive, and misleading representations in connection with the collection of any debt.
4. Defendant violated §1692e(11) of the FDCPA by failing to disclose in subsequent communications that the communication was from a debt collector.

WHEREFORE, Plaintiff, SHEILA ROBINSON, respectfully requests judgment be entered against Defendant, GC SERVICES, LP, for the following:

19. Statutory damages of \$1,000.00 pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. 1692k,
20. Costs and reasonable attorneys' fees pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. 1692k

21. Any other relief that this Honorable Court deems appropriate.

RESPECTFULLY SUBMITTED,

Dated: March 10, 2014

By: /s/ Ryan S. Lee
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